

Docket No.: 043888-0325

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	:	Customer Number: 53080
	:	
Tsutomu OHZUKU, et al.	:	Confirmation Number: 3395
	:	
Application No.: 10/506,298	:	Group Art Unit: 1795
	:	
Filed: September 01, 2004	:	Examiner: ECHELMEYER, Alix E.
	:	
For: ANODE ACTIVE MATERIAL, MANUFACTURING METHOD THEREOF, AND NON -AQUEOUS ELECTROLYTE SECONDARY BATTERY	:	

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449. It is respectfully requested that the documents be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

CERTIFICATION PARAGRAPH

The undersigned certifies that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR 1.97(e)(2).

The US reference was cited in a corresponding United States application office action and its relevance discussed therein. A copy of the United States office action is attached for the Examiner's information. Please note that the reference **US 2003/0082448** has been previously cited in an Information Disclosure Statement filed on July 16, 2007.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Bernard P. Codd

Registration No. 46,429

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
Phone: 202.756.8000 BPC:mjb  
Facsimile: 202.756.8087  
**Date: October 31, 2008**

**Please recognize our Customer No. 53080  
as our correspondence address.**